

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

JCWSCS 31 MAR 2004

HAYNES AND BOONE, LLP

h [b]

Telecopy Transmittal

DATE: Wednesday, March 31, 2004 12:04:04 PM

Total Pages Including Cover: 06

To: Office of Initial Patent Examination's Filing Receipt Co

Telecopy #: 1-703-746-9195 **Phone #:**

Client/Matter #: 31132.63

FROM: Bonnie E. Boyle

Haynes and Boone, LLP
2505 N. Plano Road, Suite 4000
Richardson, TX 75082-4101
Main Phone #: (972) 680-7550
Main Fax #: (972) 680-7551

Direct Phone #: 972-739-8660

Direct Fax #: 972-692-9034

Should you have any problems with this transmittal, please call 972-739-8660.

MESSAGE:

Confidentiality Note: The information contained in this facsimile message is privileged and confidential and is intended only for the use of the addressee. The term "privileged and confidential" includes, without limitation, attorney-client privileged communications, attorney work product, trade secrets, and any other proprietary information. Nothing in this facsimile is intended by the attorney or the client to constitute a waiver of the confidentiality of this message. If the reader of this message is not the intended recipient, or employee/agent of the intended recipient, you are hereby notified that any duplication, or distribution of this communication is unauthorized. If you have received this message in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you.

Attorney Docket No. 31132.63
Customer No. 27683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Molz, et al. §
Serial No.: 10/733,554 § Art Unit: 3738
Filed: December 10, 2003 § Examiner: Unknown
For: Method and Apparatus for Replacing the §
Function of Facet Joints §

REQUEST TO CORRECT FILING RECEIPT

Office of Initial Patent Examination's Filing Receipt Corrections
US Patent and Trademark Office

Via Facsimile No. 703-746-9195

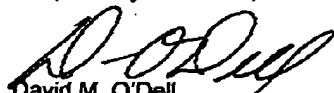
Sir:

Attached is a copy of the official filing receipt received from the U.S. Patent and Trademark Office in the above-identified patent application in which issuance of a corrected filing receipt is respectfully requested. Applicant respectfully requests correction of the Assignment for Published Patent Application to be:

SDGI Holdings, Inc., Wilmington, DE

A corrected Application Data Sheet is enclosed. The Commissioner is hereby authorized to deduct any fees which may be required or credit any over payment to Deposit Account 08-1394.

Respectfully submitted,


David M. O'Dell
Registration No. 42,044

Date: 3-31-04
HAYNES AND BOONE, L.L.P.
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972-739-8635
Facsimile: 214-200-0853
File: 31132.63
R-70979.1

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being faxed to the USPTO- Office of Initial Patent Examination's Filing Receipt Corrections @ 703-746-9195 on 3-31-04

By: Bonnie Boyle
Typed Name: Bonnie Boyle

Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY/DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/733,554	12/10/2003	3738	1542	31132.63	4	39	8

000027683
 HAYNES AND BOONE, LLP
 901 MAIN STREET, SUITE 3100
 DALLAS, TX 75202

RECEIVED

MAR 26 2004

CONFIRMATION NO. 7729

FILING RECEIPT

 OC000000012141574

Date Mailed: 03/23/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Fred J. Motz IV, Collierville, TN;
 Jeff Justis, Collierville, TN;
 Michael C. Sherman, Memphis, TN;

RECEIVED

MAR 25 2004

HAYNES & BOONE LLP.

Assignment For Published Patent Application

Medtronic Sofamor Danek, Inc., Memphis, TN;
 SDGI Holdings, Inc., Wilmington, DE;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 03/18/2004

Projected Publication Date: 06/16/2005

Non-Publication Request: No

Early Publication Request: No

12.10.04-DD to FF
 2.10.05 - awaiting OA

Docketed 3.26.04

Title

Method and apparatus for replacing the function of facet joints

By CS

Page 2 of 2

Preliminary Class

623

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Initial Information Data Sheet

Applicant Information

Applicant Authority Type::	Inventor
Applicant One Given Name::	Fred J.
Family Name::	Molz
Name Suffix::	IV
Postal Address Line One::	201 Pikes Peak Drive
City::	Collierville
State or Province::	TN
Postal or Zip Code::	38017
Citizenship Country::	USA
Applicant Authority Type::	Inventor
Applicant Two Given Name::	Jeff
Family Name::	Justis
Postal Address Line One::	2035 West Almadale Court #102
City::	Collierville
State or Province::	TN
Postal or Zip Code::	38017
Citizenship Country::	USA
Applicant Authority Type::	Inventor
Applicant Three Given Name::	Michael C.
Family Name::	Sherman
Postal Address Line One::	5854 Haymarket Road
City::	Memphis
State or Province::	TN
Postal or Zip Code::	38120
Citizenship Country::	USA

Initial Information Data Sheet

Correspondence Information

Correspondence Customer Number::000027683

Application Information

Title Line One::	METHOD AND APPARATUS FOR
Title Line Two::	REPLACING THE FUNCTION OF
Title Line Three::	FACET JOINTS
Total Drawing Sheets::	4
Formal Drawings?::	Yes
Application Type::	Utility
Docket Number::	31132.63

Representative Information

Registration Number:: 42,044

Assignee Information

Assignee Name::	SDGI Holdings, Inc.
Street of mailing address::	300 Delaware Avenue, Suite 3100
City::	Wilmington
State or Province::	Delaware
Country of mailing address::	USA
Postal or Zip Code::	19801